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Oak Park Elementary School District #97 Bylaws & Policies

In order to promote student and staff safety, and deter unauthorized access and destructive acts (e.g., theft and vandalism), the Board of Education authorizes the use of video security camera and electronic monitoring equipment 24 hours a day, seven days a week on school property and in school buildings, as well as during times when school buses are in use. Information obtained through video security cameras/electronic monitoring may be used to identify intruders and persons breaking the law, **and** enforce Board policy, the Effective Student Behavior Handbook and school rules (i.e. it may be used as evidence in disciplinary actions and criminal proceedings). The monitoring of actions and behavior of individuals who come onto school property is a significant factor in maintaining order and protecting students, staff, visitors, the school and property.

With respect to the above reference to enforcement of Board Policy, the Board recognizes that Board policies may impact wages, hours and term and conditions of employment and, if so, the respective District 97 labor organizations shall be entitled to notice of any changes in such Board policies and an opportunity to bargain in good faith.

With respect to use of video evidence in disciplinary actions, the Board acknowledges that such actions are subject to the terms and conditions of the respective District 97 collective bargaining agreements.

The primary purpose of the video security camera/electronic monitoring **system equipment** is to complement other procedures being employed in the District to promote and foster a safe and secure teaching and learning environment for students and staff. The Board recognizes that the use of **a** video security camera/electronic monitoring **system equipment** does not replace the need for the ongoing vigilance of the school staff assigned by the building principal to monitor and supervise the school building. Rather, the video security camera/electronic monitoring **system equipment** serves as an appropriate and useful tool with which to augment and support policy 5601 (Serious Misconduct) and the efforts of staff to provide a safe environment and positive climate within the building.

The building principal is responsible for verifying that due diligence is observed in maintaining general campus security. The Superintendent or designee is responsible for determining where to install and operate fixed location video security camera/electronic monitoring equipment in the District. The determination of where and when to use video security camera/electronic monitoring equipment will be made in a nondiscriminatory **and non-disparate** manner.

Video security camera/electronic monitoring equipment may be placed in:

DRAFT

- **Public** areas in school buildings, **including as examples**, school hallways, entryways, publicly-located locker bays, the front office where students, staff and visitors are permitted to freely come and go, gymnasiums, cafeterias, **and** libraries
- School parking lots and other outside areas, and in school buses

Video security camera/electronic monitoring equipment shall not be used in the following areas:

- Restrooms
- Locker rooms
- Changing areas
- Private offices
- Conference/meeting rooms
- Individual classrooms
- **Break rooms, provided such rooms have been designated as break rooms**
- **Other areas prohibited by law**

In the event that the District, in cooperation with law enforcement, determines to install video security camera/electronic monitoring equipment in any of the above-listed areas, the District shall inform the President of the respective District 97 labor organizations, unless the President is the target of the investigation. If so, the District shall select another officer of the labor organization to receive such notice. In all instances, the President or other selected officer agree to keep such notice confidential until permitted to release such information by either the District and/or law enforcement.

Any student or staff member who takes action to block, move, or alter the location and/or viewing angle of a video security camera shall be subject to disciplinary action.

Legible and visible signs shall be placed at the main entrance to buildings and in the areas where video security camera/electronic monitoring equipment is in use to notify people that their actions/behavior are being monitored/recorded 24 hours a day, seven days a week. Additionally, the Superintendent **or designee** is directed to annually notify staff, parents, and students of the use of video security camera/electronic monitoring equipment in their schools.

Students may be disciplined based in whole or in part on videotape evidence of misconduct. However, the videotapes shall not be maintained as student records, except as such videotapes are used in the course of student disciplinary proceedings or for other good reason as determined by the Superintendent or designee.

Use of Video Monitoring

DRAFT

- **Under no circumstances will video security camera/electronic monitoring equipment be used to make an audio recording of a conversation occurring on school grounds or property, or on buses.**
- Any information obtained from video security camera/electronic monitoring ~~system~~ **equipment** shall be used to support the school's efforts to maintain an orderly, positive climate, and for law enforcement purposes.
- The recordings obtained through the use of video security camera/electronic monitoring equipment may be used as evidence in disciplinary proceedings, administrative proceedings or criminal proceedings **that are** subject to Board policy and ~~regulations~~ the law, **subject to the provisions of paragraph three of this policy.**
- Video recordings of students, staff, or others may be reviewed or audited for the purpose of determining adherence to Board ~~of Education~~ policy, **the Effective Student Behavior Handbook**, and school rules, **subject to the provisions of paragraph two of this policy.**
- The Board ~~of Education~~ may use video recordings of students, staff, and others to detect or deter criminal offenses.
- The Board ~~of Education~~ or its administrators may use video recordings for inquiries and proceedings related to law enforcement, deterrence, and student discipline.

Protection of Information and Disclosure/Security

Video recordings are not regularly maintained by the District as public records and shall not be available for viewing by the public, employees of the District in general, the media, or other individuals, except as authorized herein.

Access to such videotapes shall be limited as follows:

- **The Board, Superintendent/designee and the Building Principal shall be authorized to view the video recording for the purposes of documenting disciplinary problems, criminal activity or for other educational or business reasons.**
- **The Superintendent/designee or Building Principal may authorize other school personnel, such as a teacher, guidance counselor, school psychologist, or social worker to view segments of a videotape, if such personnel have a demonstrable educational interest in the videotape.**

DRAFT

- In appropriate circumstances, or as mandated by law or court order, the Superintendent/designee is authorized to show a videotape to other government agencies, including law enforcement agencies or the Department of Children and Family Services (DCFS).
- A student or his/her parents, in accordance with the Rules and Regulations implementing this policy and to the extent afforded by student records laws, may review a videotape or portion thereof if the District decides to maintain a particular videotape or portion thereof. If disciplinary action is initiated based solely upon videotape documentation, or if videotape documentation is to be used as evidence at a disciplinary hearing, the student involved and the student's parent(s) or guardian(s), may be permitted upon request to review the portion of the videotape in question, and such other portions of the videotape as may be necessary to establish the context of the events giving rise to the disciplinary action. In such instances, a District staff member shall be present during the viewing and shall record the date and names of all persons viewing the videotape. The student and parent(s) or guardian(s) shall be entitled, at their own expense, to obtain a copy of those portions of the videotape for use in connection with any disciplinary or court proceedings arising out of the conduct in question. Viewing of videotapes under this paragraph may be restricted in accordance with any applicable confidentiality rights of other students identified in such videotapes.
- As otherwise provided in accordance with state and federal laws, such as the Illinois School Student Records Act (ISSRA), 105 ILCS 10/1 *et seq.*, and the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g *et seq.*

Retention of Electronic Video Data

- All video electronic data not in use should be securely stored.
- All video electronic data that have been used for the purpose of this policy shall be numbered and dated and retained according to the camera site.
- The Superintendent/designee ~~of schools~~ or **Building Principal** must authorize access to all video electronic data.
- Documentation shall be maintained of all episodes of access to, or use of recorded materials.
- Video electronic data will **normally** be erased **normally** on a monthly basis. Video electronic data that contains personal information used to make a decision directly affecting an individual, however, may be retained for a longer period of time as needed.

DRAFT

- The Superintendent/**designee** or **Building Principal** shall ensure that a video electronic release form is completed **when** disclosing video electronic data to appropriate authorities or third parties. Any such disclosure shall only be made in accordance with ~~applicable legislation~~ **the law**. Such release forms should include the individual or organization who is requesting the video electronic data, the date of the occurrence and when or if the video electronic data will be returned or destroyed by the authority or individual after use.

Expectations Related to the Use of Video Security Camera and Electronic Monitoring Equipment

The use of video security cameras/electronic monitoring is to be implemented in accordance with this policy and the ~~related~~ **corresponding administrative** guidelines.

- Video camera security recordings will only be reviewed when an activity is suspected to violate the law or **constitute misconduct**.
- Prior to the start date of electronic monitoring in schools or buses, the Superintendent or designee will provide the Board copies of the procedures, forms and additional supplemental documentation that support the use and implementation of this policy.
- ~~The District shall maintain video security camera/electronic monitoring recordings for a limited period.~~ **Video electronic data will normally be erased on a monthly basis.** Any request to view a recording under this policy must be made within **thirty (30)** days of the event/incident and within seven **(7)** days of notification that the event/incident has taken place. Unless a formal complaint is being investigated, recordings shall be destroyed after **thirty (30)** days. If, however, action is taken by the Board/administration, as a result of a formal complaint or incident, recordings shall be kept for a minimum of one (1) year from the date of the action taken.
- The Superintendent or designee is directed to develop administrative guidelines to address the use of video security camera/electronic monitoring equipment in school buildings, school buses and on property owned and/or operated by the District.
- Within the first year of implementation, the Superintendent or designee shall conduct a review each trimester to verify that this policy and its **implementing corresponding administrative** guidelines are being adhered to, and report to the Board on the impact and outcomes of the use of video security camera/electronic monitoring equipment in the District. Any deficiencies or concerns identified by the audit will be addressed immediately by Administration.

DRAFT

- The Superintendent or designee will provide the Board with an annual review at the end of the school year to assess the effectiveness of using the equipment and identify any need for adjustments.

Limitations on the Use of the Video Security Camera and Electronic Monitoring Equipment

- The Board and the District will not employ the use of the video security camera/electronic monitoring equipment in instructional observations of professional staff to obtain information for the purpose of routine staff appraisal/evaluation.
- This policy does not address or cover instances where school officials record a specific event (e.g., a play, music performance, athletic contest, graduation, or Board meeting), or an isolated instance where a classroom is videotaped for educational or research purposes. Authorized videotaping for educational, instructional and/or research purposes is permitted and is not addressed by this policy.
- **Notwithstanding the foregoing, the president of each of the District's certified labor organizations; including the Oak Park Teacher' Association, Oak Park Educational Support Professionals Association, Oak Park Teacher Assistants' Association, and the Service Employees International Union; shall be entitled to request that video security camera and electronic monitoring equipment be turned off during any labor organization meetings. The president or designee shall submit such request to the Building Principal in writing no later than five (5) business days or, in the case of emergency meetings, as soon as possible, prior to the meeting.**

Legal Reference: 720 ILCS 5/26-4

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Cross Reference with Board Policy 5601